

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

No. 2:22-CR-15

v.

HON. JANET T. NEFF
U.S. District Judge

GREGORY JAMES KNUUTTILA,

Defendant.

_____ /

GOVERNMENT’S SENTENCING SUPPLEMENT
REGARDING DRUG WEIGHT

The government provides the following explanation for the converted drug weight (“CDW”) in paragraph 109 of the PSR:

Row 1: 09/24/2020 Traffic Stop

During a 2020 traffic stop involving Defendant, CM, and KC, officers seized 193.77 grams of methamphetamine from a vehicle belonging to Defendant’s wife. (R.109: PSR, PageID.676 ¶ 29.) CM later proffered that s/he, Defendant, and KC were splitting the methamphetamine in the car. (*Id.* at ¶ 30). And CP testified at the January 25, 2024, sentencing hearing that Defendant temporarily stopped going on trips after a traffic stop with CM and KC. (R.117: Sent. Tr., PageID.867:3–17.) Treating this quantity as methamphetamine mixture results in a CDW of **387.54 kg** (193.77 g at 2 kg/g). *See* U.S.S.G. § 2D1.1 cmt. n.8(D).¹

Row 2: 04/29 and 5/06/2021 SB Proffers

SB proffered in spring 2021 and reported both supplying and being supplied with methamphetamine by Defendant. (R.109: PSR, PageID.677 ¶¶ 31–33.) SB stated Defendant

¹ The seized methamphetamine had a purity of 95.2 percent (R.109: PSR, PageID.676 ¶ 29), equating to 184.47 grams of methamphetamine actual, and a CDW of **3689.38 kg**. *See* U.S.S.G. § 2D1.1 cmt. n.8(D).

was upset when SB distributed methamphetamine to Defendant's customer, AL. (*Id.* at ¶ 33.) Detective Harju corroborated AL being Defendant's customer, testifying that AL conducted a controlled buy into Defendant. (R.117: Sent. Tr., PageID.860:24–861:1.)

This row totals 177.097 grams of methamphetamine mixture and a CDW of **354.19 kg**² based on the following:

- **2.0 ounces (56.699 grams)**, based on SB's statements that s/he began supplying Defendant in November or December of 2020 and supplied 2.0 ounces per week. (R.109: PSR, PageID.677 ¶ 31). SB didn't specify how many weeks s/he supplied 2.0 ounces, so the PSR used a conservative estimate of 1 week. (*Id.*)
- **4.0 ounces (113.398 grams)**, based on SB's statements that beginning in summer 2020 and continuing through a trip in February 2021, Defendant was supplied between 2.0 and 4.0 ounces per week. (*Id.* ¶ 32). SB didn't specify how many weeks, so the PSR used an initial trip from summer 2020 at 2.0 ounces (the low-end of the range) and the February 2021 trip, which SB said was for 2.0 ounces. (*Id.*)
- **7.0 grams**, based on statements that SB put in money for runs Defendant made in summer 2020, and received 2 "balls" (3.5 grams each). (*Id.* at ¶ 33.)

Row 3: 06/28/2022 JC Statements

During a June 28, 2022, interview, JC reported (1) personally observing Defendant with a half-pound of methamphetamine 2 weeks earlier, and (2) having personal knowledge of Defendant distributing a half-pound to a full pound of methamphetamine every 1 to 2 weeks. (*Id.* at PageID.681–82 ¶ 49.) The probation officer counted the half pound from JC's personal observation 2 weeks earlier and an additional half pound (1 week at the low end of the range) from JC's knowledge of Defendant distributing a half pound to a pound a week, for a total estimate of 1.0 pound of methamphetamine mixture and a CDW of **907.18 kg** (453.59 g at 2 kg/g). (*Id.*)

Row 4: 7/14/2022 Traffic Stop

This traffic stop underlies Defendant's guilty plea and is uncontested. Officers seized

² Paragraph 109 of the PSR lists this CDW as 394.19 kg, based on 197.097 g of methamphetamine. (R.109: PSR, PageID.692.) In preparing this document, the government conferred with the probation officer, who confirmed that the number in the PSR was an error, and the correct estimate for this row should be 177.097 g of methamphetamine, converted at 2 kg/g to 354.19 kg.

207.8 grams of methamphetamine with a purity of 93 percent. (*Id.* at PageID.682 ¶ 50.) When treated as methamphetamine mixture the CDW is **415.6 kg** (207.8 g at 2 kg/g).³

Row 5: November/December 2022 CI Statements (CI identified as CP)

CP proffered in late 2022 and estimated receiving a total of 0.5 pounds (226.796 grams) of methamphetamine from Defendant. (*Id.* at PageID.685 ¶¶ 66, 69.) Paragraph 109 used that estimated total: a CDW of **453.59 kg**. (*Id.*)

However, the government suggests using a CDW of **226.80 kg** to better reflect CP's hearing testimony. While the individual quantities CP testified to would likely support an aggregate of 0.5 pounds, when directly asked, CP estimated receiving only 0.25 pounds (113.40 grams) in total. (R.117: Sent. Tr., PageID.867:1–2.) The Court found CP credible. (*Id.* PageID.898:20–23.)⁴

Row 6: 11/16/2022 and 8/25/2023 JS Interview and Proffer

In a November 2022 interview and August 2023 proffer, JS admitted selling methamphetamine to Defendant and JT. (R.109: PSR, PageID.683, 686–87). JS said s/he sold JT methamphetamine between 7 and 10 times and estimated that JT was working on behalf of Defendant on all but 1 or 2 of those occasions. (*Id.* at PageID.687 ¶ 78.) The PSR used the bottom of the range (7 trips), deducted 2 for trips where JT acted alone, and deducted 1 for the July 2022 traffic stop. (*Id.*) JS reported supplying 8 ounces to 2 pounds per trip, with the average being 1 pound. (*Id.*) The PSR counted 2 trips at 8 ounces, 1 trip at 1 pound, and 1 trip at 2 pounds, for a total of 4.0 pounds (1814.37 grams) and a CDW of **3,628.74 kg**. (*Id.*)

However, based on the hearing, the government now recommends using an 8-ounce

³ It equates to 193.25 grams of methamphetamine actual, and a CDW of **3865.08 kg**.

⁴ The government recommends excluding the CDW from JC and CP's statements to avoid double counting methamphetamine supplied to Defendant by JS. (*See* R.110: Gov't Sent. Mem., PageID.751).

quantity for each trip. CP testified that Defendant and JT went on runs to “Jake from State Farm,”⁵ receiving 4 or 8 ounces per trip. (R.117: Sent. Tr., PageID.870:15–16.) Detective Harju testified that the text messages in Government’s Sentencing Exhibit 5 established at least 4 trips involving Defendant and JT. (R.117: Sent. Tr., PageID.832:9–11.) And those messages corroborate quantities of at least 8 ounces. (R.114: Gov’t Sent. Exhibits, PageID.800 (“I’ve got a half . . . pound.”); *id.* (“I got a half P”); *id.* (“would like 8”).) That yields a CDW of **1,814.37 kg**.

For reference, the table below provides alternative quantity calculations that reflect the government’s suggested revisions based on hearing testimony.

Source of Information	Meth. Mixture (g)	Meth. Actual (g)	CDW (kg)	CDW 1:1 (kg)
9/24/2020 Traffic Stop	193.77	184.47	3689.38	387.54
4/29 and 5/6/2021 SB Proffers	177.10		354.19	354.19
6/28/2022 JC Statements	453.59		907.18	907.18
7/14/2022 Traffic Stop	207.80	193.25	3865.08	415.60
November/December 2022 CI Statements (CP) * <i>Revised per hearing testimony</i>	113.40		226.80	226.80
11/16/2022 and 8/25/2023 JS Interview and Proffer * <i>Revised per hearing testimony</i>	907.19		1814.37	1814.37
Total all rows			10857.00	4105.68
Total using JC and CP but not JS			9042.63	2291.31
Total using JS but not JC or CP * <i>Recommended</i>			9723.02	2971.70

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Dated: February 5, 2024

/s/ Hanna L. Rutkowski
HANNA L. RUTKOWSKI
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⁵ Identified as JS. (R.117: Sent. Tr., PageID.829:22–23.)